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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,687	09/25/2003	Kenji Samoto	117213	4431
25944	7590	03/13/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			LEE, JINHEE J	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/669,687	SAMOTO, KENJI	
Examiner	Art Unit		
Jinhee J. Lee	2831		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 13 January 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) 9-18 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-8, 19 and 20 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a))

\* See the attached detailed Office action for a list of the certified copies not received

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 0903,1105.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of election of Group I in Paper Dated 1/13/06 is acknowledged. The traversal is on the ground(s) that search and examination of Group I and other groups would not pose a serious burden to the office. This is not found persuasive because claims of each groups are a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Claims 9-18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group, there being no allowable generic or linking claim.

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "outside along the width" in line 3. This is confusing. Examiner suggests, "outside of the width" instead to clarify.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 6, and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by JP'21949 (JP-U-6-21949).

Re claim 1, JP'21949 discloses a flexible cable harness, comprising: a plurality of flexible cables (13, 15, 17 for example) , each having a first end connected to a first object (11 for example) and a second end connected to a second object (5 for example) , at least one of the plurality of flexible cables contributing to an electrical connection between the first object and the second object, each of the plurality of flexible cables comprising: a curved portion that curves between the first end and the second end; a first positioning system (unnumbered on the cables at 29 for example) provided near the first end in the curved portion; and a second positioning system (unnumbered on the cables at 21,23 for example) provided near the second end in the curved portion, wherein a distance from the first positioning system to the second positioning system is different in each of the plurality of flexible cables such that more inward flexible cables located at the curved portion are shorter in distance between the first positioning system and the second positioning system, the first positioning system of each of the plurality of flexible cables is fixed to a first positioning part (29 for example) provided on or near the first object, the second positioning system of each of the plurality of flexible cables is fixed to a second positioning part (21, 23 for example) provided on or near the second object, and each of the plurality of flexible cables are spaced in the curved portion (see figure 1).

Re claim 2, JP'21949 discloses a flexible cable harness, wherein the first object is a fixed member, the second object is a movable member, the first positioning system of each of the plurality of flexible cables is fixed to the first positioning part provided fixedly with the fixed member, and the second positioning system of each of the plurality of flexible cables is provided on or near the movable member and fixed to the second positioning part movable with the movable member (see figure 1).

Re claim 3, JP'21949 discloses a flexible cable harness, wherein the distance from the first positioning system to the second positioning system is set in each of the plurality of flexible cables such that a curvature radius of the curved portion is reduced by a specified amount as the flexible cables are located more inward at the curved portion (see figure 1 for example) .

Re claim 4, JP'21949 discloses a flexible cable harness, wherein the first positioning system and the second positioning system are integral with each of the plurality of flexible cables (see figure 1).

Re claim 6, JP'21949 discloses a flexible cable harness, wherein the flexible cables are set in position by engagement of the first positioning system with the first engagement part and the second positioning system with the second engagement part (see figure 1 for example) .

Re claim 19, JP'21949 discloses a flexible cable harness, comprising: a plurality of flexible cables, each having a first end connected to a first object and a second end connected to a moveable second object, at least one of the plurality of flexible cables (13 for example) contributing to an electrical connection between the first object and the

second object, each of the plurality of flexible cables comprising: a curved portion that curves between the first end and the second end; a first positioning system provided near the first end in the curved portion; and a second positioning system provided near the second end in the curved portion, wherein the first positioning system of each of the plurality of flexible cables is fixed to a first positioning part provided on or near the first object, the second positioning system of each of the plurality of flexible cables is fixed to a second positioning part provided on or near the second object, and the second positioning part is provided with a guide portion (29 for example) that guides the flexible cable harness extending from the first positioning part therein invariably at a specified angle relative to a direction perpendicular to a travel direction of the second object (see figure 1 for example) .

Re claim 20, JP'21949 discloses a flexible cable harness, wherein a distance from the first positioning system to the second positioning system is different in each of the plurality of flexible cables such that more inward flexible cables located at the curved portion are shorter in distance between the first positioning system and the second positioning system and each of the plurality of flexible cables are spaced in the curved portion (see figure 1 for example) .

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP'21949.

Re claim 5, JP'21949 discloses a flexible cable harness except wherein the first positioning system and the second positioning system are separate pieces and added to each of the plurality of flexible cables. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the first positioning system and the second positioning system that are separate pieces and added to each of the plurality of flexible cables to add ability to remove from each other, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

8. Claim 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP'21949 in view of Serizawa et al.(US006257898B1).

Re claim 7, JP'21949 discloses a flexible cable harness except, wherein each of the first positioning system and the second positioning system is provided on a shorter side of each of the plurality of flexible cables, and includes a hole provided beyond a width of each of the plurality of flexible cables, the hole is engaged with a corresponding protrusion provided on each of the first positioning part and the second positioning part in order to set the cables in place. However, Serizawa et al. teaches of a harness wherein the positioning system and positioning system is provided on a shorter side (inner side) of each of the plurality of flexible cables, and includes a hole (25 for example) provided beyond a width of each of the flexible cables, the hole is engaged with a corresponding protrusion (27 for example) provided on each a positioning part

(see figure 1A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the hole provided beyond a width of each of the flexible cables, the hole that is engaged with a corresponding protrusion provided of Serizawa et al. on each of the first positioning system and the second positioning system, including on each of the first positioning part and the second positioning part of JP'21949 in order to provide strong hold on the cables.

Re claim 8, JP'21949 discloses a flexible cable harness except, wherein each of the first positioning system and the second positioning system include two holes spaced from each other and outside along the width of each of the flexible cables, and each of the first positioning part and the second positioning part includes two protrusions corresponding to the two holes. However, Serizawa et al. teaches of a harness wherein each positioning system include two holes spaced from each other and outside along the width of each of the flexible cables, and a positioning part includes two protrusions corresponding to the two holes (see figure 1A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the holes provided beyond a width of each of the flexible cables, the holes that are engaged with corresponding protrusions provided of Serizawa et al. on each of the first positioning system and the second positioning system, including on each of the first positioning part and the second positioning part of JP'21949 in order to provide strong hold on the cables.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M, T, Th and F at 6:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinhee J Lee  
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Art Unit 2831

jjl

